

ENTERED

February 04, 2025

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

Chapter 11

LIMETREE BAY SERVICES, LLC., *et al.*, Case No. 21-32351 (CML)

Debtors.¹

(Jointly Administered)

**ORDER GRANTING USVI CLAIMANTS' MOTION FOR LEAVE TO NAME
LIMETREE BAY REFINING, LLC AS A NOMINAL DEFENDANT**

[Related Docket No. 1647]

Upon the Motion for Leave to Name Limetree Bay Refining, LLC as a Nominal Defendant (the “Motion”), filed by the plaintiffs and counsel in the USVI Actions (collectively the “USVI Claimants”)², seeking leave of this Court to name Limetree Bay Refining, LLC (“LBR”) as a nominal defendant in the USVI Actions pursuant to the Court’s order [D.I. 1454] (the “Confirmation Order”) confirming the *Combined Disclosure Statement and Chapter 11 Plan of Liquidation of Limetree Bay Services, LLC and Affiliated Debtors* [D.I. 1413- 1] (including any

¹ The “Debtors” in these above-captioned Chapter 11 cases (the “Chapter 11 Cases”), along with the last four digits of each Debtor’s federal tax identification number, as applicable, are: Limetree Bay Services, LLC (1866); Limetree Bay Refining Holdings, LLC (1776); Limetree Bay Refining Holdings II, LLC (1815); Limetree Bay Refining, LLC (8671); Limetree Bay Refining Operating, LLC (9067); Limetree Bay Refining Marketing, LLC (9222).

² As used herein, “USVI Actions” refers to Boynes et al. v. Limetree Bay Ventures, LLC et al., D.V.I. case no. 1:21- cv-253 (“Boynes Action”); Shirley et al. v. Limetree Bay Ventures, LLC et al., D.V.I. case no. 1:21-cv-00259-WAL- EAH (“Shirley Action”); Charles et al. v. Limetree Bay Refining, LLC et al., D.V.I. case no. 1:21-cv-00260-WAL- EAH (“Charles Action”); Cotton et al. v. Limetree Bay Ventures, LLC et al., D.V.I. case no. 1:21-cv-00261-WAL- EAH (“Cotton Action”); Liger v. Limetree Bay Ventures, LLC et al., St. Croix Superior Court case no. SX-2022-cv- 301 (the “Liger Action”); and Wooten v. Limetree Bay Terminals et al., St. Croix Sup. Ct. case no. SX-2023-cv-052 (the “Wooten Action”). The Boynes, Charles, Cotton and Shirley Actions are referred to collectively as the “USVI Federal Actions.”

EXHIBIT

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exhibits and schedules thereto and as may be amended, supplemented, or modified, the “Plan”) and the Court’s order [DI 1685] granting the Liquidating Trustee’s Emergency Motion to Enforce the Conformation Order;³ and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157(a)–(b) and §1334; and consideration of the Motion and the requested relief being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. § 1408; and due and proper notice of the Motion having been provided; and it appearing that no other or further notice need be provided; and all objections, if any, to the Motion having been withdrawn, resolved, or overruled as set forth below; and the Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein, as set forth below; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

The USVI Claimants are given leave to file amended complaints naming LBR as a nominal defendant in the USVI Actions for the purpose of (a) establishing Claims⁴ against the Debtors and their Estates and (b) preserving rights with respect to insurance coverage for such Claims, if any, and for no other purpose, subject to any leave required by the US District Court for the District of the Virgin Islands. This Order is effective immediately. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Order.

Signed: February 04, 2025


Christopher Lopez
United States Bankruptcy Judge

³ David M. Dunn is the liquidating trustee (the “Liquidating Trustee”) of the LBR Liquidating Trust, successor-in-interest to certain rights and interests of the Debtors in the Chapter 11 Cases.

⁴ “Claims,” “Debtors,” and “Estates” have the meanings provided for them in the Plan.